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3 **UNITED STATES DISTRICT COURT**
4 **DISTRICT OF NEVADA**
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6 LAWRENCE DELISIO,

7 Plaintiff,

8 v.

9 HSBC BANK USA, N.A., *et al.*,

10 Defendants.
11

Case No. 2:11-CV-00426-KJD-CWH

ORDER

12 Plaintiff's Complaint was filed in state court on February 28, 2011. Federal Rule of Civil
13 Procedure 4(m) requires service of summons and complaint to be made upon a defendant 120 days
14 after the filing of the complaint. The 120 day time period for effecting service of the summons and
15 complaint upon Defendants HSBC Bank USA, N.A. and National Default Servicing Corporation
16 expired no later than June 28, 2011. Plaintiff has not yet filed proof of service on the sole remaining
17 defendants.

18 Accordingly, IT IS HEREBY ORDERED that Plaintiff shall have up to and including
19 November 16, 2011 to file proof of service of the summons and complaint within the allowed time.
20 If Plaintiff fails to respond or to file proof of service, the Court will dismiss the complaint without
21 prejudice against the remaining defendants in accordance with Federal Rule of Civil Procedure 4(m).

22 DATED this 2nd day of November 2011.
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26 Kent J. Dawson
United States District Judge